

**FILED**

OCT 24 2012

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
MIDLAND-ODESSA DIVISION**

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY [Signature] DEPUTY CLERK

**UNITED STATES OF AMERICA,** ) **CRIMINAL NO. MO-12-CR-267**  
 )  
 ) **SUPERSEDING**  
 ) **INDICTMENT**  
 **Plaintiff,** )  
 ) **[Vio: 21 U.S.C. § 846 -**  
 **V.** ) **Conspiracy;**  
 ) **21 U.S.C. § 841(a)(1)-**  
 **THOMAS MAYNARD AMES** ) **Possession With Intent to**  
 **DAVID PARKER** ) **Distribute a Controlled Substance;**  
 **DIANNA MICHELLE GALLOWAY** ) **18 U.S.C. § 2 - Aid and Abet]**  
 **SHAMUS MORRIS** )  
 **LIA SMITHEE** )  
 **Defendants.** )

**THE GRAND JURY CHARGES:**

**COUNT ONE**  
**[21 U.S.C. § 846]**

That beginning on or about April of 2011 and continuing until on or about September of 2012, in the Western District of Texas and elsewhere, the Defendants,

**THOMAS MAYNARD AMES,  
DAVID PARKER,  
DIANNA MICHELLE GALLOWAY,  
SHAMUS MORRIS,  
and  
LIA SMITHEE**

did combine, conspire, confederate and agree together and with each other, and with others known and unknown to the grand jury, to possess with intent to distribute a controlled substance, which offense involved fifty (50) grams or more of actual methamphetamine, a Schedule II Controlled Substance, contrary to Title 21, United States Code, Sections

841(a)(1) and 841(b)(1)(A), in violation of Title 21, United States Code, Section 846.

**COUNT TWO**

**[21 U.S.C. §§ 841(a)(1); 841(b) & 18 U.S.C. § 2]**

That on or about September 11, 2012, in the Western District of Texas, the  
Defendants,

**THOMAS MAYNARD AMES  
and  
DIANNE MICHELLE GALLOWAY,**

aided and abetted by each other, unlawfully, knowingly, and intentionally possessed with intent to distribute a controlled substance, which offense involved fifty (50) grams or more of actual methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) and Title 18, United States Code, Section 2.

**COUNT THREE**

**[21 U.S.C. §§ 841(a)(1); 841(b)(1)(B)]**

That on or about January 31, 2012, in the Western District of Texas, the Defendant,

**DAVID PARKER,**

unlawfully, knowingly, and intentionally possessed with intent to distribute a controlled substance, which offense involved five (5) grams or more of actual methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

**COUNT FOUR**

**[21 U.S.C. §§ 841(a)(1); 841(b)(1)(B)]**

That on or about January 31, 2012, in the Western District of Texas, the Defendant,

**THOMAS MAYNARD AMES,**

unlawfully, knowingly, and intentionally possessed with intent to distribute a controlled substance, which offense involved five (5) grams or more of actual methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

A TRUE BILL.

*Original signed by the*  
foreperson of the Grand Jury  
FOREPERSON OF THE GRAND JURY

ROBERT PITMAN  
UNITED STATES ATTORNEY

*for* William R. Tatum  
V. LATAWN WARSAW

Assistant United States Attorney

William R. Tatum  
WILLIAM R. TATUM

Assistant United States Attorney

PERSONAL DATA SHEET  
UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

|   |   |                    |
|---|---|--------------------|
| SEALED:   |   | UNSEALED: XX       |
| COUNTY: Ector   | DIVISION:<br>MIDLAND/ODESSA               | JUDGE: JUNELL      |
| DATE: October 24, 2012  | MAG CT #: MO:12-M-353                     | FBI #:             |
| CASE NO: MO-12-CR-267   | ASSISTANT U.S. ATTORNEY: V. LATAWN WARSAW |                    |
| DEFENDANT: 1. THOMAS MAYNARD AMES   |   | DOB: XXXXXXXXXX    |
| ADDRESS: XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX   |   |                    |
| CITIZENSHIP: USA      INTERPRETER NEEDED No      LANGUAGE:  |   |                    |
| DEFENSE ATTORNEY:<br>Gerald R. Lopez<br>210 E. 4th Street<br>Odessa, TX 79761<br>432-580-7859<br>geraldrllopez@netscape.net   |   |                    |
|   |   | APPOINTED          |
| DEFENDANT IS: Detained<br>ADDRESS:  |   |                    |
| DATE OF ARREST: September 11, 2012  |   | BENCH WARRANT: XXX |
| PROBATION OFFICER:  |   |                    |
| NAME AND ADDRESS OF SURETY:   |   |                    |
| YOUTH CORRECTIONS ACT APPLICABLE: No  |   |                    |
| PROSECUTION BY: Indictment  |   |                    |
| OFFENSE (Code and Description): Ct. 1 - 21 USC 846 - Conspiracy; Cts. 2 - 21 USC 841(a)(1) & (b)(1)(A) - possession with intent to distribute fifty (50) grams or more of actual methamphetamine, a Schedule II Controlled Substance. Ct. 4 - 21 USC 841(a)(1) & (b)(1)(B) - possession with intent to distribute five (5) grams or more of actual methamphetamine, a Schedule II Controlled Substance.   |   |                    |
| OFFENSE IS: FELONY  |   |                    |
| MAXIMUM SENTENCE: Cts. 1 & 2 (each) - A mandatory minimum 10 year term of imprisonment, not to exceed life imprisonment; a 5 year mandatory minimum term of supervised release; a fine not to exceed \$10 million; and a mandatory \$100 special assessment. Ct. 4 - Mandatory minimum 5 year term of imprisonment, not to exceed 40 years; a 4 year mandatory minimum term of supervised release; a fine not to exceed 4 million; and a \$100.00 mandatory special assessment. |   |                    |
| PENALTY IS MANDATORY: As stated above.  |   |                    |
| REMARKS: AGENT:<br>SA David Friday  |   |                    |

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| DATE: October 24, 2012   | MAG CT #: MO:12-M-                        | FBI #:         |
| SSN#:  | TX SID#:                                  | TX DL#:        |
| CASE NO: MO-12-CR-267  | ASSISTANT U.S. ATTORNEY: V. LATAWN WARSAW |                |
| DEFENDANT: 2. DAVID PARKER   |   | DOB:           |
| ADDRESS: USMS Custody  |   |                |
| CITIZENSHIP: USA      INTERPRETER NEEDED No      LANGUAGE:   |   |                |
| DEFENSE ATTORNEY:<br><b>Mr. E. Jason Leach</b><br><b>308 North Jackson Avenue</b><br><b>Odessa, Texas 79761</b><br><b>432-552-7000 ofc</b><br><b>432-366-5000 fax</b><br><b><a href="mailto:ejleach@bl.law.net">ejleach@bl.law.net</a></b>   |   |                |
| DEFENDANT IS: Temp. Detained   |   |                |
| DATE OF ARREST: September 11, 2012   |   | BENCH WARRANT: |
| PROSECUTION BY: Indictment   |   |                |
| OFFENSE (Code and Description): Ct. 1 - 21 USC 846 - Conspiracy; Ct. 3 - 21 USC 841(a)(1) & (b)(1)(B) - possession with intent to distribute five (5) grams or more of actual methamphetamine, a Schedule II Controlled Substance.   |   |                |
| OFFENSE IS: FELONY   |   |                |
| MAXIMUM SENTENCE: Ct. 1 - A mandatory minimum 10 year term of imprisonment, not to exceed life imprisonment; a 5 year mandatory minimum term of supervised release; a fine not to exceed \$10 million; and a mandatory \$100 special assessment. Ct. 3 - A mandatory minimum 5 year term of imprisonment, not to exceed 40 years; a 4 year mandatory minimum term of supervised release; a fine not to exceed 4 million; and a \$100 mandatory special assessment. |   |                |
| PENALTY IS MANDATORY: As stated above.   |   |                |
| REMARKS: AGENT:<br>SA David Friday   |   |                |

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| DATE: October 24, 2012  | MAG CT #: MO:12-M-353                     | FBI #:             |
| CASE NO: MO-12-CR-267   | ASSISTANT U.S. ATTORNEY: V. LATAWN WARSAW |                    |
| DEFENDANT: 3. DIANNA MICHELLE GALLOWAY  |   | DOB: XXXXXXXXXXXX  |
| ADDRESS: XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX   |   |                    |
| CITIZENSHIP: USA      INTERPRETER NEEDED No      LANGUAGE:  |   |                    |
| DEFENSE ATTORNEY:<br><b>Mr. David Rogers</b><br><b>214 W. Texas, Suite 811</b><br><b>Midland, Texas 79701</b><br><b>432-620-8774 ofc</b><br><b>432-620-9945 fax</b><br><b><u>david@fivecoatlaw.com</u></b>  |   |                    |
| DEFENDANT IS: Detained<br>ADDRESS:  |   |                    |
| DATE OF ARREST: September 11, 2012  |   | BENCH WARRANT: XXX |
| PROBATION OFFICER:  |   |                    |
| NAME AND ADDRESS OF SURETY:   |   |                    |
| YOUTH CORRECTIONS ACT APPLICABLE: No  |   |                    |
| PROSECUTION BY: Indictment  |   |                    |
| OFFENSE (Code and Description): Ct. 1 - 21 USC 846 - Conspiracy; Ct. 2 - 21 USC 841(a)(1) & (b)(1)(A) - possession with intent to distribute fifty (50) grams or more of actual methamphetamine, a Schedule II Controlled Substance.                        |   |                    |
| OFFENSE IS: FELONY  |   |                    |
| MAXIMUM SENTENCE: Cts. 1 & 2 each) - A mandatory minimum 10 year term of imprisonment, not to exceed life imprisonment; a 5 year mandatory minimum term of supervised release; a fine not to exceed \$10 million; and a mandatory \$100 special assessment. |   |                    |
| PENALTY IS MANDATORY: As stated above.  |   |                    |
| REMARKS: AGENT:<br>SA David Friday  |   |                    |

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| CASE NO: MO-12-CR-267  | ASSISTANT U.S. ATTORNEY: V. LATAWN WARSAW |                    |
| DEFENDANT: 4. SHAMUS MORRIS  |   | DOB: XXXXXXXXXX    |
| ADDRESS: XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX  |   |                    |
| CITIZENSHIP: USA      INTERPRETER NEEDED No      LANGUAGE:   |   |                    |
| <b>Mr. Alan B. Harris</b><br><b>409 N. Texas Avenue</b><br><b>Odessa, Texas 79761</b><br><b>432-580-3118 ofc</b><br><b>432-332-4084 fax</b><br><u><b>harrislaw@nts-online.net</b></u>  |   |                    |
| DEFENSE ATTORNEY:  |   |                    |
| DEFENDANT IS:<br>ADDRESS:  |   |                    |
| DATE OF ARREST: September 11, 2012   |   | BENCH WARRANT: XXX |
| PROBATION OFFICER:   |   |                    |
| NAME AND ADDRESS OF SURETY:  |   |                    |
| YOUTH CORRECTIONS ACT APPLICABLE: No   |   |                    |
| PROSECUTION BY: Indictment   |   |                    |
| OFFENSE (Code and Description): Ct. 1 - 21 USC 846 - Conspiracy;   |   |                    |
| OFFENSE IS: FELONY   |   |                    |
| MAXIMUM SENTENCE: Ct. 1 - A mandatory minimum 10 year term of imprisonment, not to exceed life imprisonment; a 5 year mandatory minimum term of supervised release; a fine not to exceed \$10 million; and a mandatory \$100 special assessment. |   |                    |
| PENALTY IS MANDATORY: As stated above.   |   |                    |
| REMARKS: AGENT:<br>SA David Friday   |   |                    |

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| DATE: October 24, 2012   | MAG CT #: MO:12-M-                        | FBI #:             |
| CASE NO: MO-12-CR-267  | ASSISTANT U.S. ATTORNEY: V. LATAWN WARSAW |                    |
| DEFENDANT: 5. LIA SMITHEE  |   | DOB: XXXXXXXXXXXX  |
| ADDRESS: XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX  |   |                    |
| CITIZENSHIP: USA      INTERPRETER NEEDED No      LANGUAGE:   |   |                    |
| DEFENSE ATTORNEY:  |   |                    |
| DEFENDANT IS:<br>ADDRESS:  |   |                    |
| DATE OF ARREST:  |   | BENCH WARRANT: XXX |
| PROBATION OFFICER:   |   |                    |
| NAME AND ADDRESS OF SURETY:  |   |                    |
| YOUTH CORRECTIONS ACT APPLICABLE: No   |   |                    |
| PROSECUTION BY: Indictment   |   |                    |
| OFFENSE (Code and Description): Ct. 1 - 21 USC 846 - Conspiracy;   |   |                    |
| OFFENSE IS: FELONY   |   |                    |
| MAXIMUM SENTENCE: Ct. 1 - A mandatory minimum 10 year term of imprisonment, not to exceed life imprisonment; a 5 year mandatory minimum term of supervised release; a fine not to exceed \$10 million; and a mandatory \$100 special assessment. |   |                    |
| PENALTY IS MANDATORY: As stated above.   |   |                    |
| REMARKS: AGENT:<br>SA David Friday   |   |                    |